

FILED

AUG 06 2001

*Carol L. Monroe*  
AUDITOR, FRANKLIN COUNTY

ORDINANCE NO. 2001- 18

**AN ORDINANCE ESTABLISHING A REASONABLE AND SAFE  
MAXIMUM SPEED ON UNPOSED COUNTY ROADWAYS**

WHEREAS, pursuant to I.C. 9-21-5-6 and in an effort to determine and establish reasonable and safe maximum speed limits on all county roadways, unless otherwise posted.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That the maximum speed limit on any roadway maintained by the county shall be 45 miles per hour, unless otherwise and specifically posted.

BE IT NOW ORDAINED AND ADOPTED this 6<sup>th</sup> day of August, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

*Louis E. Linkel*  
Louis E. Linkel

*Robert O. Brack*  
Robert O. Brack

*Thomas E. Wilson*  
Thomas E. Wilson

ATTEST:

*Carol L. Monroe*  
Carol L. Monroe  
Auditor, Franklin County, Indiana

## County of Franklin, State of Indiana

BE IT ORDAINED by the Board of County Commissioners for the County of Franklin, State of Indiana, pursuant to I.C. 36-7-3-12, that pursuant to a Petition to Vacate Portions of Public Ways filed with the Board of County Commissioners for the County of Franklin, State of Indiana, on the 15<sup>th</sup> day of October, 2001, in behalf of James R. Gross and Marlene M. Gross, husband and wife, as Petitioners, the following described portion of a platted alley is hereby vacated, subject to the reservation by the Board of County Commissioners of Franklin County, Indiana of a utility easement for the location of utility lines, including electric, water, telephone and sewage, and other similar usages should the need for utility lines arise.

That portion of the platted alley hereby vacated is more particularly described as follows:

Beginning at the northwest corner of Lot Number Six (6) in O'Byrne Addition "A" to the Town of Raymond and bearing North 88 degrees 45 minutes 00 seconds West 1759.60 feet from the northeast corner of the Southwest Quarter of Section Two (2), Township Nine (9) North, Range One (1) West; thence South 00 degrees 15 minutes 00 seconds West 390.20 feet to the northern right-of-way of Oxford Pike and the southwest corner of Lot Number Four (4) in said addition; thence along said right-of-way, South 73 degrees 23 minutes 00 seconds West 17.07 feet to the southeast corner of Lot Number Eight (8) in said addition; thence leaving said right-of-way, North 00 degrees 15 minutes 00 seconds East 395.50 feet to the northeast corner of Lot Number Seven (7) in said addition; thence South 88 degrees 45 minutes 00 seconds East 16.50 feet to the place of beginning. The above description was prepared under the direction of Joe W. Gillespie, Jr., R.L.S. 900024.

Those portions of the alley above-described are hereby vacated, subject to the reservation of easements hereinabove recited for utility lines.

This Ordinance shall be in full force and effect from and after its passage by law.

Passed by the Board of County Commissioners for the County of Franklin, State of Indiana, this 5<sup>th</sup> day of November, 2001.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, INDIANA

By: Louis E. Linker

Robert W. Brack

Thomas E. Wilson

FILED

NOV 5 2001

Caryl A. Thomas  
AUDITOR FRANKLIN COUNTY

ATTEST:

Caryl A. Thomas CAS  
Auditor, Franklin County,  
State of Indiana



County of Franklin, State of Indiana

BE IT ORDAINED by the Board of County Commissioners for the County of Franklin, State of Indiana, pursuant to I.C. 36-7-3-12, that pursuant to a Petition to Vacate Portions of Public Ways filed with the Board of County Commissioners for the County of Franklin, State of Indiana, on the 15<sup>th</sup> day of October, 2001, in behalf of Harold E. McNeeley and Carol L. McNeeley, husband and wife, as Petitioners, the following described portion of a platted street and a platted alley are hereby vacated, subject to the reservation by the Board of County Commissioners of Franklin County, Indiana of a utility easement for the location of utility lines, including electric, water, telephone and sewage, and other similar usages should the need for utility lines arise.

That portion of the platted street and alley hereby vacated is more particularly described as follows:

Beginning at the northeast corner of Lot Number Seventy-eight (78) in McWhorter's Plat to the Town of Metamora; thence along the south line of McWhorters Street, North 80 degrees 40 minutes 00 seconds West 236.00 feet to the east right-of-way line of Walnut Street; thence along said east line, North 09 degrees 20 minutes 00 seconds East 40.00 feet to the southwest corner of Lot Number Eighty-six (86) in said plat; thence along the north line of said McWhorters Street, South 80 degrees 40 minutes 00 seconds East 110.00 feet to the western line of Mounts Alley; thence along the bounds of said alley the following (3) calls: (1) North 09 degrees 20 minutes 00 seconds East 120.00 feet, (2) South 80 degrees 40 minutes 00 seconds East 16.00 feet and (3) South 09 degrees 20 minutes 00 seconds West 120.00 feet to the southwest corner of Lot Number Eighty-four (84); thence along the northern line of said McWhorters Street, South 80 degrees 40 minutes 00 seconds East 110.00 feet to the west right-of-way line of Church Street and the southeast corner of Lot Number Eighty-three (83); thence along said west line, South 09 degrees 20 minutes 00 seconds West 40.00 feet to the place of beginning. The above description was prepared under the direction of Joe W. Gillespie, Jr., R.L.S. 900024.

Those portions of streets and alleys above-described are hereby vacated, subject to the reservation of easements hereinabove recited for utility lines.

This Ordinance shall be in full force and effect from and after its passage by law.

Passed by the Board of County Commissioners for the County of Franklin, State of Indiana, this 5<sup>th</sup> day of November, 2001.

FILED

NOV 5 2001

*Carol L. Moore*  
AUDITOR FRANKLIN COUNTY

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, INDIANABy: *Louis E. Chiche**Robert W. Brack**Thomas E. Wilson*

ATTEST:

*Carol L. Moore* CAS  
Auditor, Franklin County,  
State of Indiana

ORDINANCE NO. 2001 19

**AN ORDINANCE DECLARING A REASONABLE AND SAFE MAXIMUM  
SPEED LIMIT ON OXFORD PIKE  
FROM WILDCAT LANE TO COOLEY ROAD**

WHEREAS, it is determined on the basis of an engineering and traffic investigation that the maximum speed limit permitted by Indiana Statute is greater than reasonable and safe under the conditions found to exist on Oxford Pike from Wildcat Lane to Cooley Road in Brookville Township, Franklin County Indiana; and

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Oxford Pike from Wildcat Lane to approximately 900 feet east of Bridge No. 52 is 30 miles per hour;

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Oxford Pike from approximately 900 feet east of Bridge No. 52 to Cooley Road is 35 miles per hour;

WHEREAS, it is also determined that appropriate traffic signs be maintained which promote traffic safety and allow for the safe operation of vehicles including:

STOP R1-1 Regulatory Sign shall be maintained for West Bound Oxford Pike; the Oxford Pike – Wildcat Lane Intersection shall remain a four way stop; also STOP R1-1 Regulatory Signs shall be maintained for Cooley Road at the Oxford Pike intersection.

SCHOOL ADVANCE SIGNS S1-1 for West Bound Oxford Pike traffic east of the Wildcat Lane Intersection;

REDUCE SPEED 35 MPH R2-5b Regulatory Sign for West Bound Oxford Pike traffic east of the Cooley Road Intersection;

SPEED LIMIT 30 R2-1 Regulatory Signs for East Bound Oxford Pike traffic placed east of the Wildcat Lane Intersection and for West Bound Oxford Pike traffic placed approximately 900 feet east of Bridge No. 52;

SPEED LIMIT 35 R2-1 Regulatory Signs for East Bound Oxford Pike traffic placed approximately 900 feet east of Bridge No. 52 and for West Bound Oxford Pike traffic placed west of the Cooley Road Intersection;

NO THRU TRAFFIC TO S.R.101 Warning Sign for West Bound Oxford Pike traffic maintained for west of the Wildcat Lane Intersection;



TO Marker M4-5 (S) (RIGHT TURN TO S.R. 101 for West Bound Oxford Pike  
traffic maintained east of the Wildcat Lane Intersection;

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That the maximum speed limit on Oxford Pike from Wildcat Lane to approximately 900 feet east of Bridge No. 52 is 30 miles per hour;
2. That the maximum speed limit on Oxford Pike from approximately 900 feet east of Bridge No. 52 to Cooley Road is 35 miles per hour;
3. This Ordinance shall be effective upon passage.
4. A person who violates this Ordinance commits a Class C infraction.

BE IT NOW ORDAINED AND ADOPTED this 13th day of  
August 2001.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

Louis E. Linkel  
LOUIS E. LINKEL

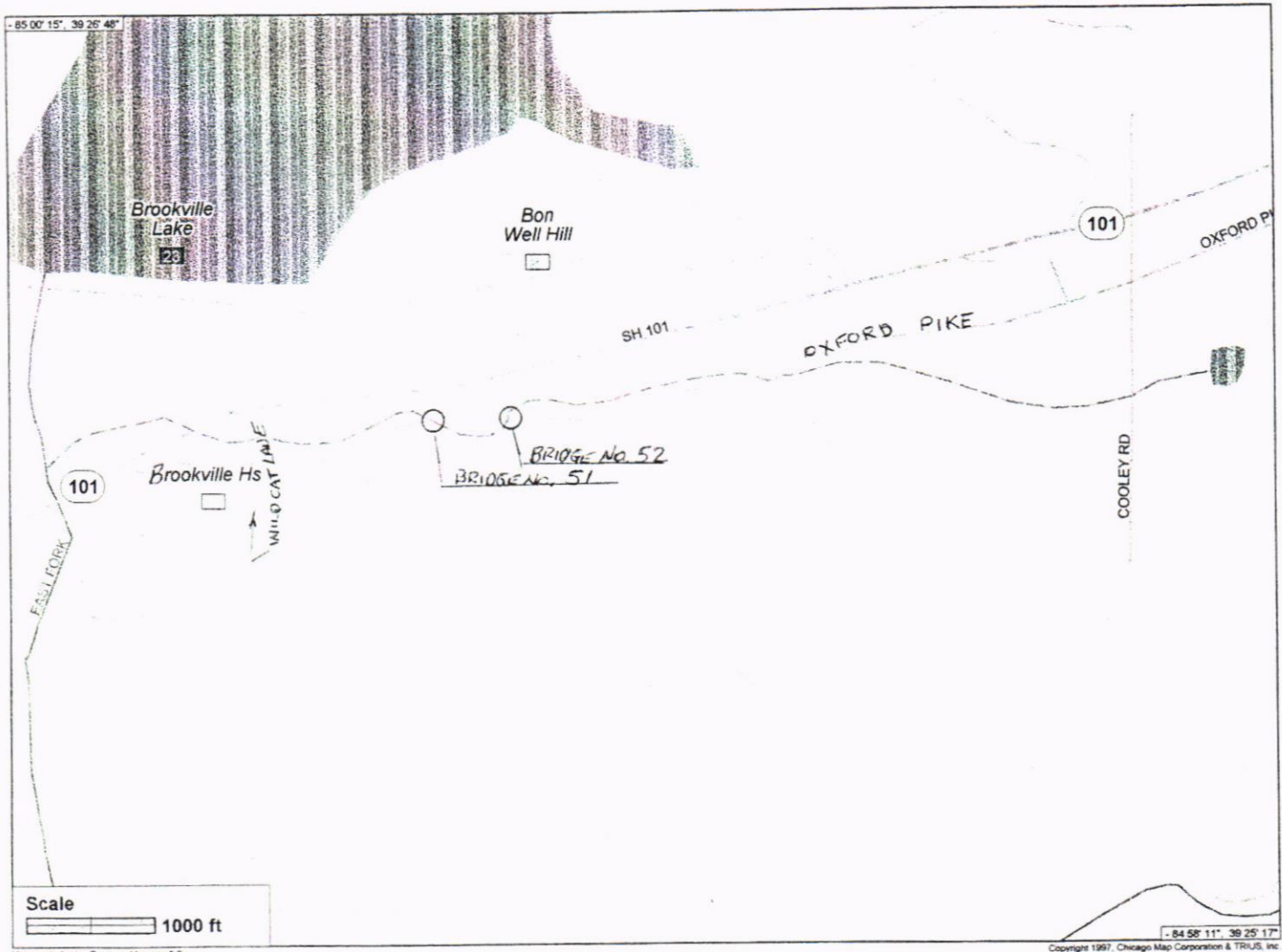
Robert O. Brack  
ROBERT O. BRACK

Thomas E. Wilson  
THOMAS E. WILSON

ATTEST:

Carol L. Monroe  
CAROL L. MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA

# CURRENT MAP





FILED

AUG 06 2001

*Carol L. Monroe*  
AUDITOR FRANKLIN COUNTY

ORDINANCE NO. 2001- 18

**AN ORDINANCE ESTABLISHING A REASONABLE AND SAFE  
MAXIMUM SPEED ON UNPOSED COUNTY ROADWAYS**

WHEREAS, pursuant to I.C. 9-21-5-6 and in an effort to determine and establish reasonable and safe maximum speed limits on all county roadways, unless otherwise posted.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That the maximum speed limit on any roadway maintained by the county shall be 45 miles per hour, unless otherwise and specifically posted.

BE IT NOW ORDAINED AND ADOPTED this 6<sup>th</sup> day of August, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

*Louis E. Linkel*  
Louis E. Linkel

*Robert O. Brack*  
Robert O. Brack

*Thomas E. Wilson*  
Thomas E. Wilson

ATTEST:

*Carol L. Monroe*  
Carol L. Monroe  
Auditor, Franklin County, Indiana

ORDINANCE  
Of  
FRANKLIN COUNTY  
By  
BOARD OF COMMISSIONERS  
ORDINANCE 2001-16

(An ordinance establishing the Franklin County Convention, Recreation and Tourism Commission)

FILED

JUL 2 2001

*Cary A. Boudel*  
AUDITOR FRANKLIN COUNTY

WHEREAS, the County Council of Franklin County, Indiana has enacted a Franklin County Innkeeper's Tax pursuant to I.C. 6-9-18-3; and,

WHEREAS, it is the desire of this Board of County Commissioners to establish an organization to use funds collected under this tax levy to promote and encourage conventions, trade shows, special events, recreation, and visitors' development within Franklin County;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, INDIANA THAT:

1. There is hereby established the Franklin County Convention, Recreation and Visitor Commission
2. Said Commission shall be composed of seven (7) members. Of said members no more than a simple majority may be affiliated with the same political party and each member shall reside in Franklin County
3. Members of said Commission shall be appointed in the following manner;
  - a.) Six (6) members are to be appointed by the Franklin County Board of Commissioners.
  - b.) One (1) of the six members shall be from Ray Township. This member will be appointed by the Commissioner representing Ray Township
  - c.) One (1) member is to be appointed by the President of the Town Board of Brookville.
  - d.) The appointment of members shall be representative as follows:
    - 1.) Two (2) representative of Lodging
    - 2.) One (1) representative of Metamora
    - 3.) One (1) representative of Restaurant
    - 4.) One (1) representative of Water Recreation (canal, river, lake)
    - 5.) One (1) At Large
    - 6.) One (1) representative of Ray Township
4. The term of office of each member shall be two (2) years and shall begin January 1<sup>st</sup>. Initial terms for two members will be for a term of one (1) year with subsequent appointments for two (2) year terms enabling the terms to be staggered. A member whose term expires may be reappointed to serve another term with a limit of two (2) subsequent terms. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If the vacancy is not filled within thirty (30) days the Commission shall appoint a member by majority vote.
5. Members of the Commission may not receive a salary but are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.
6. The Commission shall meet after January 1 each year for the purpose of organization. It shall elect one (1) of its members president, another vice-president, another secretary, and another treasurer and these elected officers shall perform the duties pertaining to the offices. The first officers chosen



shall serve from the date of their election until their successors are elected and qualified. A majority of the Commission constitutes a quorum and the concurrence of a majority of the Commission is necessary to authorize and action.

7. All other conditions relating to said Commission shall be defined by I.C. 6-9-18.
8. This Ordinance shall be effective July 2, 2001.

ADOPTED this 2nd day of July, 2001.

BOARD OF COMMISSIONERS  
OF FRANKLIN COUNTY

Louis E. Linkel  
Louis E. Linkel

Robert O. Brack  
Robert O. Brack

Thomas E. Wilson  
Thomas E. Wilson

ATTEST:

Carol H. Monroe  
Carol Monroe, Franklin County Auditor

ORDINANCE  
OF FRANKLIN COUNTY, INDIANA  
BY  
FRANKLIN COUNTY COUNCIL

*Establish*  
(TO ~~AMEND AND SUPPLEMENT~~ ORDINANCE NO. 2001 15 AND REQUIRE THE FRANKLIN COUNTY INNKEEPERS  
TAX BE REPORTED ON FORMS APPROVED BY THE FRANKLIN COUNTY TREASURER AND THE TAX PAID  
QUARTERLY TO THE FRANKLIN COUNTY TREASURER)

WHEREAS, by Ordinance No. 2001 15 the Franklin County Council adopted the Uniform County Innkeepers Tax (I.C. 6-9-18 et. Seq.) at the rate of five (5%) percent to become effective July 1, 2001; and

WHEREAS, by the authority of I.C. 6-9-18-3 the Franklin County Council desires to require the tax to be reported and paid directly to the Treasurer of Franklin County

NOW, THEREFORE BE IT ORDAINED that the Uniform County Innkeepers Tax adopted by Franklin County at the rate of five (5%) percent shall be reported on forms approved by the Treasurer of Franklin County

BE IT FURTHER ORDAINED that the tax be paid quarterly to the Treasurer of Franklin County no more than twenty (20) days after the end of the quarter the tax is collected. A collection allowance of two (2%) percent ~~may~~ <sup>shall</sup> be taken. A late penalty charge of ten (10%) percent shall be added for taxes paid after the due date, plus interest at the rate of one and one-half (1 ½%) percent per month. (Annual Percentage Rate of 18%) for each month or part of a month the tax payment is overdue.

BE IT FURTHER ORDAINED, that the effective date for imposition of the Franklin County Uniform County Innkeepers Tax shall begin July 1, 2001.

PASSED by the County Council of Franklin County, Indiana this 26<sup>th</sup> day of June, 2001.

THE FRANKLIN COUNTY COUNCIL

"Nay"

Ralph E. Casteel

"Aye"

John C. Benda

Carl D. Krieske

John R. Pabst

Martha Bergman

Donald R. Williams

Tenneth J. Resenberg



FILED

MAY 21 2001

*Carol A. Arnold*  
AUDITOR FRANKLIN COUNTY

FRANKLIN COUNTY ORDINANCE

ORDINANCE ADOPTION - BOARD OF COMMISSIONERS

ORDINANCE NO. 2001-13

BOOK 38 PAGE 28

The Franklin County Ordinance, hereto attached and designated Board of Commissioners Ordinance Emergency Management, insofar as such Ordinance includes and concerns matters with respect to which the Board of Commissioners of Franklin County has the powers to enact ordinances, said ordinance is hereby approved and adopted and will become effective on the date indicated.

Passed and adopted this 21st day of May, 2001, by the Board of Commissioners Franklin County, Indiana: Motion to adopt Ordinance on same day and at same meeting.

It is hereby moved that the proposed ordinance hereto attached may be considered, put upon its passage, and adopted on this same day and at this same meeting where it has been first introduced. We, the undersigned members of the Board of Commissioners, being all of the members present unanimously consent to said action on the proposed ordinance as provided by IC 36-2-4-7(b). Ordinance on file in Commissioners Office for review.

Date: May 21, 2001 Signed:

*Louis E. Guckel*

*Robert O. Brack*

*Thomas E. Wick*

Franklin County Board of Commissioners

RECEIVED FOR RECORD  
RECORD 38 PAGE 28-41  
TIME 2:38 PM

# 4694 MAY 21 2001

*Mary E. Seufert*  
RECORDER FRANKLIN COUNTY, IN

**FRANKLIN COUNTY COMMISSIONERS  
ORDINANCE # 2001-13**

**COUNTY CIVIL DEFENSE AND EMERGENCY MANAGEMENT**

- Chapter 1: County Civil Defense and Emergency Management Program:  
General Provisions and Definitions
- Chapter 2: County Civil Defense and Emergency Management Program:  
Organization and Administration
- Chapter 3: County Civil Defense and Emergency Management Program:  
Emergency Powers, Regulations, and Procedures

**CHAPTER 1**

**COUNTY CIVIL DEFENSE AND EMERGENCY MANAGEMENT PROGRAM: GENERAL  
PROVISIONS AND DEFINITIONS**

- Section 1: Applicability of Chapter
- Section 2: Definitions
- Section 3: General Scope and Intent: Liberal Construction of Powers
- Section 4: Limitations; Nonsupersession of Emergency Powers of County Sheriff
- Section 5: Limitations; Nonsupersession of Emergency Powers of Incorporated Municipalities;  
Conformance of Municipal Regulations with County Regulations

**APPLICABILITY OF CHAPTER**

- Sec. 1: The provisions of this chapter, unless otherwise indicated, also apply to, govern, and refer to matters contained in Chapters 2 and 3 of this article.

**DEFINITIONS**

- Sec. 2: As used in this chapter and in Chapters 2 and 3 hereinafter, the following words and terms have the meanings indicated:
  - a.) "Chief Executive Officer" of the county, as referred to in IC 10-4-1-23(a) for purposes of declaring a local disaster emergency, and as referred to hereinafter, means the presiding officer of the Board of Commissioners. The presiding officer shall be considered as the regularly designated President of the Board, except if he is absent, or incapacitated, and the Board has a regularly designated President Pro Temp, then the President Pro Temp, shall be considered as the Chief Executive officer. If the President is absent or incapacitated and there is no designated President Pro Temp, then the remaining two Commissioners shall select among themselves one to be presiding officer in the same manner as when an ordinary business meeting needs to be conducted in the absence of the President. If both the President and another Commissioner are absent or incapacitated, then the remaining Commissioner shall be considered the presiding officer.



- b.) "Council", unless clearly referring to the County Council, means the Franklin County Civil Defense Committee as established under Chapter 2, Section 1 of this article.
- c.) "Director" refers to the county Director of Emergency Management as established and appointed pursuant to Chapter 2, Section 3 of this article.
- d.) "Emergency" Shall mean a condition resulting from enemy attack, or other hostile action, or from natural disaster, or from manmade disasters, which normal operating personnel or facilities cannot handle.
- e.) "Emergency management" shall mean the preparation for and the execution of all emergency functions, other than functions for which the military forces are primarily responsible, for protection against and to minimize and repair injury and damage resulting from enemy attack, sabotage, or other hostile action or by natural disaster.
- f.) "Emergency Management Volunteer" shall mean any person who serves without compensation in the Department of Civil Defense including persons and private agencies or government units offering services to the county during emergency situations or mutual aid to other emergency services who request assistance.
- g.) "Natural Disaster" shall mean any condition affecting or threatening public health, welfare, or security as a result of flood, tornado, blizzard, or other natural cause.
- h.) "Technological Disaster" shall mean incidents such as severe fire, explosions, hazardous material spills, radiological problems which are beyond the control of regular forces.
- i.) "Man-made Disaster" shall mean any condition such as riots, strikes, Insurrections or other civil disturbances.
- j.) "Participating emergency service" means:
  - (1) Any county department or agency designated by the Commissioner to participate in emergency activates pursuant to Chapter 2, Section 2(d); and
  - (2) Any department or agency of the state, another county, a municipality or other municipal corporation, or a volunteer organization designated to participate in the county's emergency management programs and activities pursuant to a cooperative or mutual aid agreement entered into pursuant to IC 10-4-1-9 and Chapter 2, Section 4(e) of this article.
- k.) "Personnel" means county officers and employees and Emergency Management Volunteers, unless otherwise indicated.

#### GENERAL SCOPE AND INTENT LIBERAL CONSTRUCTION OF POWERS

Sec. 3: The general intent of Chapter I through 3 is to provide for all necessary and dispensable powers and procedure reasonably needed to prevent, cope with, or make more tolerable emergency conditions. For this and, all powers, both ministerial and discretionary, as conferred herein shall be liberally construed and shall be construed as intending to supplement and augment, and not to limit, any other powers or reasonable exercise of discretion which may ordinarily pertain to county officers, employees, departments, and agencies.

## LIMITATIONS; NONSUPERSESSION OF EMERGENCY POWERS OF COUNTY SHERIFF

Sec. 4: Nothing in Chapters 1 through 3 of this article is intended to supersede or delimit any statutory powers of the County Sheriff to determine, respond to, and provide for the control of public disasters and other emergency situations under the provisions of IC 10-2-4-6 and 7.

## LIMITATIONS; NONSUPERSESSION OF EMERGENCY POWERS OF INCORPORATED MUNICIPALITIES: CONFORMANCE OF MUNICIPAL REGULATIONS WITH COUNTY REGULATIONS

Sec. 5: Nothing in Chapters 1 through 3 of this article is intended to supersede or delimit the powers of any incorporated municipality under IC 10-4-1-10 to adopt and implement emergency plans, and promulgate and enforce special emergency regulations and procedures in the advent of an actual emergency affecting such municipality. However, pursuant to I.C. 10-4-1-15, such regulations and procedures as promulgated by the municipal authorities may not be inconsistent with the Franklin County Emergency regulations and procedures.

## CHAPTER 2

### COUNTY CIVIL DEFENSE PROGRAM; ORGANIZATIONS AND ADMINISTRATION OF DEPARTMENT OF CIVIL DEFENSE

- Section 1: Franklin County Civil Defense Advisory Committee Established; Appointment and Terms of Members; Election of Officers.
- Section 2: Department of Civil Defense Established; Organization and Constituency of the Department
- Section 3: Director of Civil Defense; Appointment, Qualifications and Tenure
- Section 4: Director of Civil Defense; General Powers and Duties
- Section 5: Deputy Director; General Powers and Duties
- Section 6: Board of Commissioners; General Administrative Powers and Duties; Tests of Emergency Plans
- Section 7: Qualifications and Appointment of Emergency Management Volunteers
- Section 8: Departmental Personnel Administration; Status of Paid Employees; Establishment of Merit System if Federal Funding is Used
- Section 9: Departmental budgeting and Finance
- Section 10: Emergency Operating Plan; Formulation Content and Adoption of Plan
- Section 11: Countywide Department of Civil Defense; Emergency Operating Plan and Related Official Powers.



COUNTY CIVIL DEFENSE ADVISORY COMMITTEE ESTABLISHED: APPOINTMENT AND TERMS OF MEMBERS: ELECTION OF OFFICERS

Sec. 1: In accordance with IC 10-4-1-10(b), there is established a Franklin County Civil Defense Advisory Committee which shall consist of maximum 11 members, each of which shall be appointed by the Board of Commissioners for 2-year terms, as follows:

- a.) One member shall be a member of the Franklin County Sheriff's Dept.
- b.) One member shall be a member of the Brookville Police Department.
- c.) One member shall be a member of the Franklin County Emergency Medical Service.
- d.) One member shall be a member of the Franklin County Health Department.
- e.) One member shall be a member of the Franklin County Chapter of the American Red Cross.
- f.) One member shall be a member of the Brookville Volunteer Fire Department.
- g.) One member shall be a member of the Blooming Grove Volunteer Fire Department.
- h.) One member shall be a member of the Oldenburg Eagle Volunteer Fire Department.
- i.) One member shall be a member of the New Trenton Volunteer Fire Department.
- j.) One member shall be a member of the Drewersburg Volunteer Fire Department.
- k.) One member shall be a member of the Laurel Police Department.

The Advisory Committee shall have a Chairman and Recording Secretary/Treasurer.

DUTIES OF CIVIL DEFENSE ADVISORY COMMITTEE I.C 10-4-1-10(b)

The County Civil Defense Advisory Committee shall exercise general supervision and control over the Civil Defense and disaster program of the county and shall select or cause to be selected, a county Civil Defense Director, who shall have direct responsibility for the organization, administration, and operation of the Civil Defense program in the county; shall be responsible to the chairman of the Civil Defense Advisory Committee; and shall not hold any other local or state government office.

- a.) The Advisory Committee shall meet at least once quarterly.

DEPARTMENT OF CIVIL DEFENSE ESTABLISHED: ORGANIZATION AND CONSTITUENCY OF THE DEPARTMENT

Sec. 2: There is hereby established a Department of Civil Defense within the executive branch of the county government for the purpose of utilizing to the fullest extent possible the personnel and facilities of existing county departments and agencies to prepare for and meet any emergency as defined in Chapter 1, Section 2 of this article. The County Commissioners and Director of Civil Defense shall be responsible for its organization, administration and operation. The department shall consist of the following:

- a.) An executive head of the Department of Civil Defense, who shall be known as the Director of Civil Defense appointed in accordance with Section 3;

- b.) A "Deputy Director" who shall be appointed by the Director with the approval of the Advisory Committee.
- c.) Emergency Management Volunteers, as deemed necessary and appointed by the Director in accordance with Section 7;
- d.) The employees, equipment, and facilities of all county departments and agencies suitable for, or adaptable to, emergency management and designated by the County Commissioners to participate in the emergency management activity;
- e.) Staff officers with responsibility for Warning, Communications, Radiological, Health, Emergency Care, Police, Fire, and Light Rescue, Public Education, and Transportation, who may be appointed by the Director but which positions shall be, so far as possible, additional duty assignments to existing personnel;
- f.) Such assistants, clerical help, and other employees as deemed necessary to the proper functioning of the Department, who may be appointed by the Director.

However, notwithstanding any other provision of this sections, no compensated position may be established within the Department of Civil Defense nor any person appointed to such position, without the authorization of the County Council pursuant to I.C. 36-2-5-3(a) and the making of sufficient appropriations to pay such compensation. This provision does not give the County Council any power of approval over particular candidates for any positions, but refers only to their general statutory powers to determine the numbers of officers, deputies, and employees of county departments, classify positions, and adopt schedules of compensation. In addition, it is also the intent of this section that emergency management and disaster assignments shall be as nearly consistent with normal duty assignments as possible.

#### DIRECTOR OF CIVIL DEFENSE: APPOINTMENT: QUALIFICATIONS AND TENURE

Sec. 3: The Director of Civil Defense shall be appointed by the County Civil Defense Advisory Committee. Qualifications for Director will be determined by the Advisory Committee with input from County Commissioners, provided that pursuant to IC 10-4-1-10(d), the Director may hold no other local, state, or federal office. The appointment of the Director shall be permanent, unless the Committee determines the Director to be inadequate to fulfill his responsibilities, which shall include dereliction of duties. (Including failure to provide the State Civil Defense Director required annual reports and documentation). Malfeasance in office, incompetence, insubordination or deliberate disregard of the directives of superior county or state authorities, or physical or mental incapacity to perform his duties.

#### DIRECTOR OF CIVIL DEFENSE: GENERAL POWERS AND DUTIES

Sec. 4: The Director, subject to the direction and control of the Advisory Committee and/or County Commissioners, shall be executive head of the Department of Civil Defense and shall have responsibility for the organization, administration, and operation of the emergency management organization, including the following specific powers and duties:

- a.) The Director shall be responsible for public relations, information, and education regarding all phases of emergency management.
- b.) The Director shall be responsible for the development of a County Emergency Operating Plan, and upon adoption, shall be responsible for such implementation, and revision of the plan as to maintain it on a current state of readiness at all times. This plan shall include all major cities within the county.
- c.) The Director shall coordinate, within Franklin County, all activities for emergency management and shall maintain liaison and coordinate with all other affected agencies, public and private.



- d.) The Director shall coordinate the recruitment and training for volunteer personnel and agencies to augment the personnel and facilities of the county for emergency management purposes.
- e.) The Director may seek, negotiate, and enter into (with the approval or ratification of the Commissioners and to the extent consistent with the State Emergency Operations Plan and program) mutual-aid arrangements. With other public and private agencies for emergency management purposes, and take all steps in accordance with such arrangements to comply with or take advantage thereof in the event of an actual emergency affecting the parties.
- f.) The Director may, when such offer has been approved by the Governor, accept any offer of the Federal Government to provide for the use of the county any services, equipment, supplies, materials, or funds for emergency management purposes by way of gift, grant or loan.
- g.) The Director may seek and accept from any person, firm or corporation, any gratuitous offers to provide services, equipment, supplies, materials, funds, or licenses, or privileges to use real estate, other premises, to the county for emergency management purposes.
- h.) The Director may issue proper insignia and papers to emergency management workers and other people directly concerned with emergency management.

The Director, in addition to the powers and duties expressly provided above, shall be construed to have all powers and duties of a local civil defense director as provided under IC 10-4-1. In particular, but not by limitation, the Director, through the Department of Civil Defense, may perform or cause to be performed with respect to the county, any function parallel or analogous to those performed on a statewide basis by the Indiana Department of Civil Defense under IC 10-4-1-5(i) or 5(j).

#### DEPUTY DIRECTOR: GENERAL POWERS AND DUTIES

Sec. 5: If a Deputy Director has been appointed pursuant to Section 2(b) of this chapter, he shall during normal times, assist the Director in the performance of his duties. During an emergency, the Deputy Director shall assist the Director and fulfill the duties of the Director in the absence or inability of the Director to serve.

#### BOARD OF COMMISSIONERS: GENERAL ADMINISTRATIVE POWERS AND DUTIES: TESTS OF EMERGENCY OPERATIONS PLANS

Sec. 6: The powers and duties of the County Commissioners pertaining to emergency management in time of normal county operation are to:

- a.) Maintain general supervision over the planning and administration for the Department of Civil Defense;
- b.) Adopt the emergency management and disaster plans; and
- c.) Coordinate the emergency management activities and make assignments of emergency management duties to county forces in order to meet situations not covered in the normal duties and powers of such agencies. In addition the County Commissioners may take all necessary action to conduct tests of the emergency management plans. Emergency management tests may be conducted at any time with or without prior notification. All emergency tests conducted within the boundaries of Franklin County shall be coordinated with the Department of Civil Defense and the Franklin County Sheriff's Department.



## QUALIFICATIONS AND APPOINTMENT OF EMERGENCY MANAGEMENT VOLUNTEERS.

Sec. 7: The Director shall make sure that all volunteer personnel meet the following qualifications before he/she is sworn in as a member:

- a.) Be at least 18 years of age;
- b.) Not convicted of a felony; and
- c.) Complete and have on file an application form.

Upon satisfaction of the above requirements, the applicant is officially a member of the Franklin County Department of Civil Defense.

## DEPARTMENTAL PERSONNEL ADMINISTRATION: STATUS OF PAID EMPLOYEES: ESTABLISHMENT OF MERIT SYSTEM IF FEDERAL FUNDING IS USED

Sec. 8: In general, any paid employees of the Department of Civil Defense shall have the same employment status and shall be governed by the same uniform personnel policies, rules, and procedures that apply to other county employees. However, in the event that and during such times as the county emergency management program may hereafter be directly supported by federal funding, the Board of Commissioners shall adopt and implement a merit system applicable only to paid employees of the Department other than the Director. Such merit system shall conform to the standards and comply with other requirements as set forth in CPG 1-3; **Federal Assistance Handbook: Emergency Management Direction and Control Programs** (January 1984) or subsequent editions thereof as may be in effect at the time.

## DEPARTMENT BUDGETING AND FINANCE

Sec. 9: The Advisory Committee shall advise the Director in the preparation of the budget. The County Council shall appropriate such funds, as it may deem necessary for the purpose of emergency management. All Funds appropriated or otherwise available to the Department of Civil Defense shall be administered by the Director, subject to the approval of the County Commissioners, in the same manner as provided by law or ordinance for other county funds, except as otherwise provided under Chapter 3. Section 6, subsection's (i) through (k) of this article.

## CIVIL DEFENSE EMERGENCY OPERATIONS PLAN; FORMULATION, CONTENT, AND ADOPTION OF PLAN

Sec. 10: A Franklin County Emergency Operations Plan shall be adopted by resolution of the Franklin County Commissioners. In the preparation of this plan, as it pertains to county organization, it is the intent that the services, equipment, facilities, and personnel of all existing departments and agencies shall be utilized to the fullest extent possible. The following content shall be adopted:

- a.) Basic Plan - to include;
  - 1. Purpose
  - 2. Situation/Assumption
  - 3. Concept of Operations
  - 4. Assignment of Responsibilities.

5. Direction and Control.
6. Continuity of Government.
7. Administration and Logistics.
8. Execution.

The following annexes will be required:

- a.) Direction and Control (Warning and Communications)
- b.) Radiological Protection
- c.) Fire and Rescue
- e.) Health and Medical
- f.) Welfare
- g.) Shelter
- h.) Evacuation
- i.) Public Works
- j.) Resource and Supply

In addition, all participating emergency services who develop internal plans shall coordinate those plans with the Department of Civil Defense in order to include such plans within the county comprehensive plan. When approved, it shall be the duty of all county departments and agencies to perform the functions and duties assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times.

#### COUNTYWIDE JURISDICTION OF DEPARTMENT OF CIVIL DEFENSE, COUNTY EMERGENCY OPERATIONS: PLAN, AND RELATED OFFICIAL POWERS

Sec. 11: Except as provided by Chapter 1, Sections 4 and 5 of this article, the jurisdiction of the county Department of Civil Defense, and the jurisdiction and applicability of the county's comprehensive emergency management and disaster plan as adopted pursuant to Section 10, and the exercise of any powers of the chief executive officer of the county and the County Commissioners under Chapter 3 of this article, shall be comprehensive and inclusive countywide and effective in both the incorporated and unincorporated areas of the county.

### CHAPTER 3

#### COUNTY CIVIL DEFENSE PROGRAM: EMERGENCY POWERS, REGULATIONS, AND PROCEDURES

- Section 1: Applicability of Chapter
- Section 2: Pre-disaster Responsibilities of Department of Civil Defense
- Section 3: Special Emergency Powers and Duties of Chief Executive Officer;  
Declaration of Local Disaster Emergency

- Section 4: Special Emergency Powers and Duties of Chief Executive Officer;  
Convention of Emergency Meeting of Board of Commissioners;  
Special Meeting Procedures
- Section 5: Special Emergency Powers and Duties of Chief Executive Officer;  
Plenipotentiary Powers in Absence of Board Quorum
- Section 6: Special Emergency Powers and Duties of Board of Commissioners
- Section 7: Special Emergency Powers and Duties of Director of Emergency Management;  
Recommendations to Commissioners on Special Emergency Actions
- Section 8: Special Emergency Powers and Duties of Director of Emergency Management; Power to  
Implement Emergency Plans during Presumptive State of Emergency; Rendering of Assistance  
by Department of Civil Defense
- Section 9: General Duties of County Officers and Employees during Emergency State
- Section 10: Priority of Emergency Orders, Rules, and Regulation
- Section 11: Noncompliance with Emergency Orders, Rules, and Regulations;  
Obstruction or Impersonation of Emergency Management Authorities;  
Penalties and Enforcement
- Section 12: Limitation of Liability during State of Emergency or Emergency Management Tests or Exercises
- Section 13: Reimbursement for Use of Property Commandeered during Emergency

#### APPLICABILITY OF CHAPTER

Sec. 1: This chapter applies whenever:

- a.) A state of emergency affecting all or part of the county has been declared by the Governor pursuant to IC 10-4-1-7;
- b.) A state of emergency affecting all or part of the county has been declared by the chief executive officer of the county pursuant to IC 10-4-1-23(a) and Section 2 of this chapter;
- b.) A presumptive state of emergency is deemed to exist affecting all or part of the county causing the Director to invoke and implement emergency plans and procedures in accordance with Section 8 of this chapter; or
- d.) When the Board of Commissioners has implemented a test of the county's emergency plans and procedures in accordance with Chapter 2, Section 6 of this article, to the extent necessary or dispensable to such test.

#### PRE-DISASTER RESPONSIBILITIES OF DEPARTMENT OF CIVIL DEFENSE

Sec 2: The Department of Civil Defense's primary pre-disaster responsibility shall be the warning plan and emergency communications as prescribed in the communications plan for the entire county, including all cities and towns.



#### SPECIAL EMERGENCY POWERS AND DUTIES OF CHIEF EXECUTIVE OFFICER: DECLARATION OF LOCAL DISASTER EMERGENCY

Sec. 3: In the event of actual or threatened enemy attack or disaster affecting the county, the chief executive officer of the county may declare a local disaster emergency pursuant to IC 10-4-1-23(a) for any period not to exceed 7 days. The declaration shall be in writing and indicate the nature of the disaster and the conditions, which have brought it about, and the area or areas threatened and to which the state of emergency applies (which may include the entire county or only designated parts thereof). The declaration shall be filed in the offices of the County Clerk, the County Auditor, and the clerk of any incorporated municipality included in the declared disaster area and shall be announced or disseminated to the general public by the best means available. However, the declaration is not invalidated or ineffective if any of the filing and dissemination requirements cannot be complied with due to the prevailing adverse circumstances. Such a declaration is not necessary if the Governor, pursuant to IC 10-4-1-7, has already proclaimed a statewide or area-wide state of emergency including the county.

#### SPECIAL EMERGENCY POWERS AND DUTIES OF CHIEF EXECUTIVE OFFICER: CONVENTION OF EMERGENCY MEETING OF BOARD OF COMMISSIONERS: SPECIAL MEETING PROCEDURES

Sec. 4: As soon as possible after a disaster emergency affecting the county is declared either by the Governor or by the chief executive officer of the county, the chief executive officer of the county shall convene a meeting of the County Commissioners to perform their legislative and administrative functions as the situation may demand. If the chief executive officer falls or is unable to perform the above duty, the meeting shall be convened by some other member of the Board of Commissioners, or by the Auditor or the successively empowered county officers, in accordance with IC 36-2-2-8(a). Any such meeting of the Commissioners shall automatically be deemed an emergency meeting subject only to such procedural provisions of law as govern emergency meetings of County Commissioners, including relaxation of any applicable notice requirements pursuant to IC 5-14-1.5-5(d), and may be held in any convenient and available place. The meeting shall continue without adjournment for the duration of the disaster emergency, but may be recessed for reasonable periods of time as necessary and permitted by the circumstances.

#### SPECIAL EMERGENCY POWERS AND DUTIES OF CHIEF EXECUTIVE OFFICER; PLENIPOTENTIARY POWERS IN ABSENCE OF BOARD QUORUM

Sec. 5: In the event that a quorum of the Board of Commissioners cannot be assembled for purposes of the meeting required under Section 4 of this chapter, the chief executive officer of the county shall be considered a plenipotentiary representative of the Board and shall have all powers and may take all actions of the full Board under Section 6, subsections (b) through (m) of this chapter until the assemblage of a quorum is possible.

#### SPECIAL EMERGENCY POWERS AND DUTIES OF BOARD OF COMMISSIONERS

Sec. 6: At the meeting convened under Section 4, the Commissioners may exercise any of their normal executive and legislative powers to the extent related to the emergency and necessary to deal therewith. In addition, however they may also exercise any of the following special and extraordinary powers:

- a.) The Commissioners may extend the period of a state of emergency declared by the chief executive officer pursuant to Section 3 to last more than 7 days if necessary.
- b.) The Commissioners may terminate the state of emergency, except for a state of emergency proclaimed by the Governor.
- c.) The Commissioners may order the activation and implementation of the county's comprehensive emergency management and disaster control plan that has been adopted pursuant to Chapter 2, Section 10, of this article, or such several component parts thereof as may be relevant to the emergency.



- d.) The Commissioners may assemble and utilize emergency management forces, including personnel of the Department of Civil Defense, participating emergency services, and any other forces at the disposal of the Commissioners hereunder for emergency management purposes.
- e.) The Commissioners may order volunteer forces to the aid of the county, state, or political subdivisions thereof as soon as practicable. Those volunteer forces will be under the direction of the Department of Civil Defense.
- f.) The Commissioners may, to the extent permitted by IC 10-4-1-25, and subject to its provisions, command services from and/or requisition the use of equipment, facilities, supplies, or other property belonging to other organizations, corporations, or private persons. As necessary to control the emergency and protect and provide for the public safety and welfare.
- g.) The Commissioners may order the evacuation of all or part of the population from stricken areas of the county, and prescribe routes, modes of transportation, and destinations for such evacuation.
- h.) The Commissioners may make provision for availability and use of temporary emergency housing, which housing need not necessarily comply with any minimum housing standards, building or zoning regulation, etc. which would govern the use and location of premises for housing purposes during normal times.
- i.) The Commissioners may suspend, for the duration of the state of emergency. (Or for a lesser period as they determine), Any provisions of or procedures prescribed by ordinances of the county if they would be impractical during the emergency, would interfere with the implementation and carrying out of emergency plans; or would be inimical to actions necessary to protect the public safety and welfare; provided, however, in accordance with subsection (j). Hereinafter the Commissioners may not suspend any provisions of ordinances or procedures, which are mandated by statute.
- j.) In the event of enemy attack, or when the state of emergency has been proclaimed by the Governor, the Commissioners may also in accordance with I.C 10-4-1-10(j) (5) waive any procedures or requirements of statute. Or of county ordinances reflecting statutory requirements and mandates, and pertaining to the appropriation and expenditure of public funds. The incurrence of obligations, the performance of public works, the entering into contracts, the employment of permanent or temporary workers or utilization of volunteer workers, the rental of equipment, or the purchase and distribution of supplies, materials, and facilities.
- k.) The Commissioners may assign special emergency duties and functions to any county offices, departments, and agencies irrespective of their usual duties and functions, and any unexpended and unencumbered monies budgeted and appropriated for the operation of such offices, departments, and agencies and not otherwise dedicated by law to different and specified purposes may, within the scope of each major budget and appropriation category ( major object classification), be utilized and expended for the purpose of carrying out such special emergency duties and functions.
- l.) The Commissioners may make and promulgate such emergency regulations as may be deemed necessary to protect life and property, preserve order, conserve critical resources, or implement and carry out the provisions of the county's or state's disaster plans, including but not limited to the power to order the roads closed, establish curfews, close business, or any action that they deem necessary to save lives and recover from a declared emergency. This power also includes the power to supplement, modify, or suspend any general contingency regulations which may have been incorporated as part of the county's previously adopted Emergency Operations Plan. Any emergency regulations adopted under this subsection shall not be effective until promulgated, which promulgation shall be by written filing in the offices of the County Clerk and County Auditor as required by IC 10-4-1-15(b), provided however, that should such filing be impossible because of the emergency situation, such regulations shall be effective and enforceable



notwithstanding. Such regulation shall have the full force of law and shall be enforceable by any police officer in accordance with IC 10-4-1-17.

- m.) The Commissioners may request the state or the United States or their agencies and political subdivisions to send aid (including financial assistance) if the situation is beyond the control of the regular and emergency county forces and resources.

All actions and regulations under this section may be by executive order, and need not be made or adopted by ordinance or resolution, but shall be consistent with and subordinate to any actions, orders, or regulations made by the Governor or a state agency implementing state Emergency Operations Plans.

#### SPECIAL EMERGENCY POWERS AND DUTIES OF DIRECTOR OF CIVIL DEFENSE: RECOMMENDATIONS TO COMMISSIONERS ON SPECIAL EMERGENCY ACTIONS

Sec. 7: It shall be the duty of the Director to make recommendations and advise the Board of Commissioners or the chief executive officer on any actions which it would be necessary or desirable to take under Section 6 of this chapter in the event of an emergency.

#### SPECIAL EMERGENCY POWERS AND DUTIES OF DIRECTOR OF CIVIL DEFENSE: POWER TO IMPLEMENT EMERGENCY OPERATIONS PLANS DURING PRESUMPTIVE STATE OR EMERGENCY: RENDERING OF ASSISTANCE BY DEPARTMENT OF CIVIL DEFENSE

Sec. 8: In the event that an emergency clearly exists or is imminent within the county, and a state of emergency has not been declared by the Governor nor is any person having the powers of the chief executive officer of the County present to declare such an emergency pursuant to Section 3 of this chapter, the Director may temporarily presume the existence of a state of emergency even though not officially declared and may, as his own judgement dictates, invoke, implement, and carry out such provisions of the county's adopted comprehensive emergency management- and disaster control plan as are necessary to cope with the emergency and protect the public safety and welfare, and shall be construed to have all powers necessary and dispensable to doing so to the extent not specifically limited by statute or specifically limited herein, until such time as a chief executive officer becomes available. This section also applies to the Deputy Director to the extent that the Deputy Director is required to assume the duties of the Director, as provided by Chapter 2, Section 5 of this article. In the latter's absence or incapacitation during the emergency, assistance from the Department of Civil Defense may be rendered without a declaration of an emergency in order to assist local emergency services in time of need.

#### GENERAL DUTIES OF COUNTY OFFICERS AND EMPLOYEES DURING EMERGENCY

Sec. 9: All officers and employees of the county shall cooperate with and give active support to the County Commissioners and the county Civil Defense Director in all emergency management operations, and shall comply with all orders of the Commissioners and County Civil Defense Director issued pursuant to this chapter.

#### PRIORITY OF EMERGENCY ORDERS, RULES, AND REGULATIONS

Sec. 10: At all times when the orders, rules, and regulations made and promulgated pursuant to this chapter shall be in effect, they supersede all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

#### NONCOMPLIANCE WITH EMERGENCY ORDERS, RULES, AND REGULATIONS: OBSTRUCTION OR IMPERSONATION OF EMERGENCY MANAGEMENT AUTHORITIES: PENALTIES AND ENFORCEMENT

Sec. 11: Whenever this chapter applies as provided in Section 1, it shall be unlawful and a penal ordinance violation for any person to:



- a.) Willfully obstruct, hinder, or delay the Commissioners, the Director of Civil Defense, participating emergency services, authorized emergency management volunteers, or other authorities from implementing, carrying out, and enforcing emergency plans and procedures;
- b.) Fail to observe, abide by, and comply with any emergency management duties, orders, regulations, and procedures, as made applicable to such person by the appropriate authorities; or
- c.) Falsely wear or carry identification as a member of the county Department of Civil Defense, or to otherwise falsely identify or purport himself to be a County Emergency Management authority.

Any regular or reserve police officer of the State of Indiana or any of its political subdivisions, or any member of the County Department of Civil Defense or a participating emergency service. Is hereby empowered to issue and serve a civil citation against any person found to be committing an offense described above. Any person who commits an offense as described above shall be liable to a fine of \$2,500.00; such fine to be subject, however, to the discretion of the court of jurisdiction.

#### LIMITATION OF LIABILITY DURING STATE OF EMERGENCY OR EMERGENCY DEMENCY MANAGEMENT TESTS

Sec. 12: The county, its assigned personnel and participating emergency services, shall be held blameless and without responsibility for the loss of life or injury to persons or the destruction of any property during an emergency management test or emergency as performed under the direction of the Civil Defense Director.

(Camplier's Note: For the statutory basis of the above section, see IC 10-4-1-8(a). IC 10-4-1-18(c) also limits the tort liability of private persons who volunteer the use of their property for emergency management purpose or tests).

#### REIMBURSEMENT FOR USE OF PROPERTY COMMANDEERED DURING EMERGENCY

Sec. 13: Owners of property commandeered for the use in any emergency by any county official shall be reimbursed for it's use by the county in a manner approved by the County Council.

(Statutory Reference: See Generally IC 10-4-1)

#### Proof of Publication

<u>Ordinance</u>	<u>Adoption</u>	<u>Franklin Co.</u>	<u>Commissioners</u>
Printer's Fees . \$	<u>25.52</u>	Posters . . . . . \$	<u>25.52</u>
Total . . . . . \$	<u>25.52</u>	Filed:	<u>1</u>

FILED

MAY 14 2001

*Cayle A. M. D. M.*  
AUDITOR FRANKLIN COUNTY

BOOK

38

PAGE

6

**ORDINANCE NO. 2001 - 102**

**AN ORDINANCE DECLARING A REASONABLE AND SAFE MAXIMUM  
SPEED LIMIT IN NEW FAIRFIELD**

**ON KLEIN DRIVE, CHARLAME DRIVE, COPLEY DRIVE, HUBER DRIVE,  
HUBER COURT, TREMONT PLACE AND FAIRFIELD PARKWAY**

WHEREAS, it is determined on the basis of an engineering and traffic investigation that the maximum speed limit permitted by Indiana Statute is greater than reasonable and safe under the conditions found to exist in the town of New Fairfield in Section 27 of Fairfield Township, Franklin County Indiana; and

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Klein Drive, Charlame Drive, Copley Drive, Huber Drive, Huber Court, Tremont Place and Fairfield Parkway in New Fairfield in Fairfield Township, Franklin County, Indiana is 20 miles per hour; and

WHEREAS, it is also determined that appropriate traffic signs be maintained which promote traffic safety and allow for the safe operation of vehicles including:

SPEED LIMIT 20 R2-1 Regulatory Signs for Klein Drive, Charlame Drive, Copley Drive, Huber Drive, Tremont Place and Fairfield Parkway;

BEGIN R2-112.1 Regulatory Sign above the SPEED LIMIT 20 R2-1 Sign for South Bound Klein Drive just south of the Fairfield Causeway intersection;

STOP R1-1 Regulatory Sign for North Bound Klein Drive at its intersection with Fairfield Causeway Road;

STOP R1-1 Regulatory Signs for other Franklin County Road intersections in New Fairfield including: Copley Drive at Tremont Place; Copley Drive at Klein Drive; Huber Drive at Tremont Place; Huber Drive at Fairfield Parkway; Tremont Place at Klein Drive;

Appropriate Warning Signs including: NO OUTLET W14-2 Sign for South Bound Klein Drive just south of the Fairfield Causeway intersection; STOP AHEAD W3-1a Sign for North Bound Klein Drive approaching the Fairfield Causeway intersection; and TURN W1-1 Signs as appropriate for both directions of Klein Drive between Tremont Place and Copley Drive.

RECEIVED FOR RECORD  
RECORD 38 PAGE 6-8  
TIME 3:45 PM

4521

MAY 14 2001

*Mary C. Seufert*  
RECORDER FRANKLIN COUNTY, IN



BE IT NOW ORDAINED by the Board of Commissioners of Franklin County,  
Indiana:

1. That the maximum speed limit on Klein Drive, Charlame Drive, Copley Drive, Huber Drive, Huber Court, Tremont Place and Fairfield Parkway in New Fairfield shall be 20 miles per hour.
2. This Ordinance shall be effective upon passage.
3. A person who violates this Ordinance commits a Class C infraction.

BE IT NOW ORDAINED AND ADOPTED this 14th day of  
May 2001.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

Louis E. Linkel  
LOUIS E. LINKEL

Robert O. Brack  
ROBERT O. BRACK

Thomas E. Wilson  
THOMAS E. WILSON

ATTEST:

Carol L. Monroe  
CAROL L. MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA



 **COPY**

ORDINANCE NO. 2001 - 11

**AN ORDINANCE DECLARING A REASONABLE  
AND SAFE MAXIMUM SPEED LIMIT ON**

**YELLOW BANK ROAD FROM  
UNITED STATES ROUTE 52 TO McGUIRE RIDGE ROAD**

**FILED**

MAY 07 2001

*Cayle A. Donald*  
AUDITOR FRANKLIN COUNTY

WHEREAS, it is determined on the basis of an engineering and traffic investigation that the maximum speed limit permitted by Indiana Statute is greater than reasonable and safe under the conditions found to exist on Yellow Bank Road from U.S. Route 52 in Section 3, through Sections 34 and 27 to McGuire Ridge Road in Section 28 of Brookville Township, Franklin County Indiana; and

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Yellow Bank Road from U.S. Route 52 to the top of the Yellow Bank Hill (approximately 0.7 miles east of McGuire Ridge Road) is 25 miles per hour; and

WHEREAS, it is determined that a reasonable and safe maximum speed limit on Yellow Bank Road from the top of the Yellow Bank Hill (approximately 0.7 miles east of McGuire Ridge Road) to the McGuire Ridge Road intersection is 30 miles per hour; and

WHEREAS, it is also determined that appropriate traffic signs be maintained which promote traffic safety and allow for the safe operation of vehicles including:

STOP R1-1 Regulatory Signs for West Bound Yellow Bank Road at McGuire Ridge Road and South Bound Yellow Bank Road at U.S. Route 52 (Indiana Department of Transportation responsibility).

STOP R1-1 Regulatory Signs for other Franklin County Roads which intersect Yellow Bank Road including: West Bound Bushy Road and East Bound Boone Road.

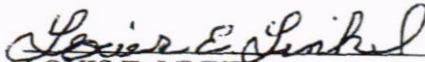
Appropriate Warning Signs including Watch For High Water Signs for in advance of the approaches to the various low water crossings on Yellow Bank Road and Bushy Road.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That the maximum speed limit on Yellow Bank Road from U.S. Route 52 to the top of the Yellow Bank Hill (approximately 0.7 miles east of McGuire Ridge Road) is 25 miles per hour.
2. That the maximum speed limit on Yellow Bank Road from the top of the Yellow Bank Hill (approximately 0.7 miles east of McGuire Ridge Road) to the McGuire Ridge Road intersection is 30 miles per hour.
- 3 This Ordinance shall be effective upon passage.
4. A person who violates this Ordinance commits a Class C infraction.

BE IT NOW ORDAINED AND ADOPTED this 7th day of May 2001.

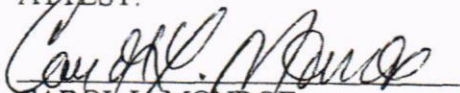
BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

  
LOUIS E. LINKEL

  
ROBERT O. BRACK

  
THOMAS E. WILSON

ATTEST:

  
CAROL L. MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA



FILED

FEB 20 2001

*Carol J. Danks*  
AUDITOR FRANKLIN COUNTY

**ORDINANCE NO. 2001 08**  
**AN ORDINANCE REGULATING STOP SIGNS**

**HAMBURG ROAD INTERSECTION WITH VOTE ROAD**

WHEREAS, it is determined on the basis of an engineering and traffic investigation that appropriate traffic signs be installed which would improve traffic safety and allow for the safest operation of vehicles through the intersection which is located in Section 5, Ray Township, Franklin County, Indiana, and

WHEREAS, the Hamburg Road and Vote Road Intersection in Ray Township, Franklin County, Indiana is located west of the town of Oldenburg;

WHEREAS, it is determined that a STOP (R1-1) sign be installed for West Bound Hamburg Road at the intersection of Hamburg Road and Vote Road in accordance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways, 1988 Section 2B-4.

WHEREAS, it is also determined that there shall be a STOP (R1-1) sign for Southeast Bound Hamburg Road and also a STOP (R1-1) sign for East Bound Vote Road at the intersection of Hamburg Road and Vote Road in accordance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways, 1988 Section 2B-4.

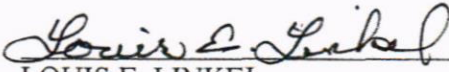
WHEREAS, it is determined that STOP AHEAD (W3-1a) Warning Signs shall be placed in advance of the STOP signs for West Bound Hamburg Road and for East Bound Vote Road.

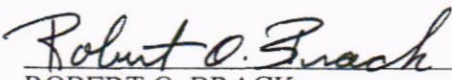
BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

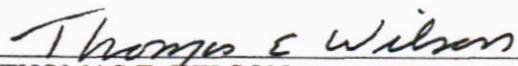
1. That a STOP sign (R1-1) be placed to stop West Bound Hamburg Road traffic at the Hamburg Road and Vote Road Intersection.
2. There shall be a STOP (R1-1) sign for Southeast Bound Hamburg Road and also a STOP (R1-1) sign for East Bound Vote Road at the intersection of Hamburg Road and Vote Road.
3. This Ordinance shall be effective upon passage.
5. A person who violates this Ordinance commits a Class C infraction.

BE IT NOW ORDAINED AND ADOPTED this 20TH day of  
FEBRUARY 2001.

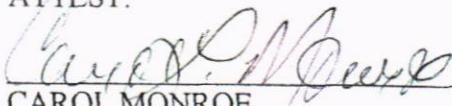
BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

  
LOUIS E. LINKEL

  
ROBERT O. BRACK

  
THOMAS E. WILSON

ATTEST:

  
CAROL MONROE  
AUDITOR, FRANKLIN COUNTY, INDIANA



FILED

JAN 16 2001

ORDINANCE NO. 2001- 01

**AN ORDINANCE AUTHORIZING EXCEPTIONS TO POSTED  
WEIGHT LIMITS AND TRUCK SIZE ON COUNTY ROADWAYS**

*Carol L. Monroe*  
AUDITOR FRANKLIN COUNTY

WHEREAS, the Board of Commissioners of Franklin County, Indiana have heretofore determined and established load limits and truck size on roadways within the county, and will similarly make such determinations in the future; and

WHEREAS, the Board recognizes that such load limits and truck size as established may cause hardship upon property owners within the county who might be undertaking approved and permitted construction projects upon their property.

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana:

1. That any county property owner who is undertaking an approved construction project permitted by the Area Plan Commission or the Board of Zoning Appeals of this county may make application to the director of such Plan Commission to be excepted from an established load limit or truck size if strict enforcement of the established load limit or truck size would work a hardship upon the property owner.
2. The request for exception shall be called "Request for Exception", and shall be in written form, specifically setting the need for exception; the hardship created; what the exception will be; and the length thereof.
3. Upon application, and for good cause shown, the director may grant the requested exception, which shall be issued for a period to coincide with any building permit issued by the director.
4. If the director determines that the request for excepting should not be granted, the applicant may request review by the Board of Zoning Appeals at its next regularly scheduled meeting.
5. This exception shall not apply to bridges.
6. This Ordinance shall be effective upon passage.

BE IT NOW ORDAINED AND ADOPTED this 16<sup>th</sup> day of January, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

*Louis E. Linkel*  
Louis E. Linkel

*Robert O. Brack*  
Robert O. Brack

*Thomas E. Wilson*  
Thomas E. Wilson

ATTEST:

*Carol L. Monroe*  
Carol L. Monroe  
Auditor, Franklin County, Indiana